

STAFF REPORT  
August 7, 2008

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**No. 08PD032 - Planned Commercial Development - Initial and Final ITEM 42 Development**

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GENERAL INFORMATION:

APPLICANT/AGENT	William A. Bertalot for Accent Homes, Inc.
PROPERTY OWNER	Accent Homes, Inc.
REQUEST	<b>No. 08PD032 - Planned Commercial Development - Initial and Final Development</b>
EXISTING LEGAL DESCRIPTION	<p>A Parcel of land, located in the NW<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math>, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota (said parcel of land identified as Proposed Lots 1 and 2 of Mall Drive Subdivision.) The Point of Beginning of said parcel being coincident with the southwesterly corner of Lot 2 of Block 6, of Interstate 90 Heartland Business Park, recorded at the Pennington County Register of Deeds Office in Plat Book 34 Page 74, said corner being marked by a 5/8" rebar with survey cap marked "LS 6119" said Parcel is more particularly described as follows: THENCE FIRST COURSE: along the southerly line of said Lot 2 of Block 6 of Interstate 90 Heartland Business Park with a bearing S89°43'20"E and a distance of 454.96 feet to the angle point corner of said Lot 2 of Block 6 of Interstate 90 Heartland Business Park marked by a 5/8" rebar with survey cap marked "LS 6119"; THENCE SECOND COURSE: along a line with a bearing S09°11'51"E and a distance of 330.75 feet to an intersection with the northerly Right-of-Way line of East Mall Drive; THENCE THIRD COURSE: along said northerly Right-of-Way line along a curve to the right with a delta angle of 22°25'43", a radius of 890.00 feet, an arc length of 348.39 feet, with a chord bearing of S78°47'01"W and a chord distance of 346.17 feet; THENCE FOURTH COURSE: continuing along said northerly Right-of-Way line with a bearing S89°59'52"W and a distance of 168.61 feet to an intersection with the north-south section one quarter line (1/4); THENCE FIFTH COURSE: along said one quarter line with a bearing N00°03'03"E and a distance of 396.04 feet to the Point of Beginning</p>
PARCEL ACREAGE	Approximately 4.23 acres
LOCATION	3330 Mall Drive

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EXISTING ZONING	General Commercial District (Planned Development Designation)
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation) - Light Industrial District (Planned Development Designation)
South:	Light Industrial District
East:	General Commercial District
West:	General Commercial District (Planned Development Designation)
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	6/27/2008
REVIEWED BY	Travis Tegethoff / Ted Johnson

**RECOMMENDATION:**

Staff recommends that the Planned Commercial Development – Initial and Final Development Plan be approved with the following stipulations:

- 1. The proposed structure(s) shall conform architecturally to the plans and elevations and color palette submitted as part of this Planned Commercial Development Plan;**
- Prior to Planning Commission approval, a revised landscape plan shall be submitted for review and approval. In particular, some trees shall be relocated to the south side of the property to provide a buffer between the development and the public right-of-way;
- A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy;
- A complete Air Quality Permit shall be obtained prior to any surface disturbance of one acre or more. In particular, the Air Quality Permit shall include the owner's signature, identify the local contractor, describe the location of the work area and include a site plan;
- Prior to issuance of a building permit the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant shall obtain an exception to the Rapid City Street Design Criteria Manual;
- The air handling units and trash receptacles shall be located in compliance with the proposed plan and screened along all four sides;
- All signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit shall also be obtained for each

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- individual sign;
8. A minimum of 11 parking spaces shall be provided and one of the parking spaces shall be a handicap "van accessible" space. All provisions of the Off-Street Parking Ordinance shall be continually met;
  9. The currently adopted International Fire Code shall be continually met;
  10. The lighting shall be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind;
  11. All vehicles shall be stored on the paved surface;
  12. Prior to issuance of a building permit, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department;
  13. All provisions of the General Commercial District shall be met unless an exception is specifically authorized as a stipulation of this Initial and Final Commercial Development Plan application or a subsequent Major Amendment; and,
  14. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years. A time extension may be granted if identified and requested as a part of a phasing schedule submitted with the Final Commercial Development Plan application; or upon written request to the Growth Management Director, and prior to the Final Development Plan approval expiration date, a one year extension for Final Development Plan approval may be granted.

GENERAL COMMENTS: The applicant has submitted an Initial and Final Commercial Development Plan to construct a 3,600 square foot structure for RV sales on the property. The property is located north of Interstate 90 and north of East Mall Drive and is currently void of any structural development.

STAFF REVIEW: Staff has reviewed this request with respect to the criteria established for planned developments identified in Section 17.50.060 of the Rapid City Municipal Code and has noted the following issues:

Building Permits: Staff noted that a building permit must be obtained prior to any construction and a certificate of occupancy obtained prior to occupancy.

Approaches: Staff noted that the proposed approaches on East Mall Drive exceed the maximum width for an approach to a commercial site. Staff noted that the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant shall obtain an exception to the Rapid City Street Design Criteria Manual. As such, staff recommends that prior to issuance of a building permit the approaches must be revised to a maximum width of 28 feet per the Rapid City Street Design Criteria Manual or the applicant must obtain an exception to the Rapid City Street Design Criteria Manual.

Design: The applicant has submitted elevations identifying that the building is a one story structure with a green metal roof. The front of the building, which faces East Mall Drive, is proposed to be constructed with wood siding and wood covered beams. However, the other

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three sides of the building are proposed to be constructed with metal siding in an earth tone color. The east and west sides are highly visible from East Mall Drive and they are not within the same character or design standard as the previously approved buildings for other developments in this area. As such, staff is recommending that the revised elevations for the building be submitted for review and approval prior to Planning Commission approval.

**On July 25, 2008 the applicant submitted revised building elevations providing additional wood columns and brick siding on the east and west sides of the structure that is more consistent with other structures under construction or proposed to be constructed in the area.**

Screening: Staff noted that the applicant submitted a site plan demonstrating an opaque wood fence to screen the dumpsters and exterior air handling units on the east side of the building.

Parking: The proposed 3,600 square building requires that a minimum of 11 parking spaces be provided. One of the parking spaces must be handicap "van accessible". The parking plan identifies 11 parking spaces with 1 handicap "van accessible" space. The parking plan for the property complies with the Parking Regulations.

Lighting Plan: The site plan identifies lighting on the proposed building. Staff is recommending that lighting be designed to be reflected within the property boundaries so as not to shine onto adjoining properties and rights-of-way and to not be a hazard to the passing motorist or constitute a nuisance of any kind.

Landscaping: A minimum of 151,309 landscaping points are required. The applicant's site plan identifies that 154,000 landscape points are being provided which exceeds the minimum requirements of the Landscape Regulations. However, no trees are being provided along East Mall Drive to provide a visual buffer of the property from the public right-of-way. As such, staff is recommending that a revised landscape plan for the property be submitted for review and approval prior to Planning Commission approval.

Signage: The applicant submitted a sign package identifying a wall sign on the south side of the structure. The applicant also identified a future location for a ground sign. The ground sign will be 30 feet in height. Staff noted that the proposed sign package appears to meet the minimum requirements of Section 15.28 of the Rapid City Municipal Code. Staff recommends that all signage shall conform to the design, color and location as shown in the sign package submitted as a part of the Planned Commercial Development. Changes to the proposed sign package, which the Growth Management Director determines to be consistent with the original approved sign package, shall be allowed as a Minimal Amendment to the Planned Commercial Development. In addition, the Growth Management Director may approve temporary signs in accordance with Chapter 15.28.080 of the Rapid City Municipal Code. The lighting for the signs shall be designed to preclude shining on the adjacent properties and/or street(s). A sign permit must also be obtained for each individual sign.

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Fire Protection: The Fire Department staff has indicated that fire hydrants must be installed and operational prior to the issuance of a building permit and/or any construction on the site using combustible material(s). The Fire Department has also indicated that prior to issuance of a building permit all weather access roads must be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus. Staff is recommending that the currently adopted International Fire Codes be continually met.

Storage Area: Staff noted that the site plan shows a majority of the site paved for the storage of recreation vehicles for sale. However, the site plans shows a gravel area in the northwest corner of the property. The applicant has indicated that the gravel area is proposed to be paved in the future for additional storage of vehicles. As such, staff recommends that all vehicles be stored on the paved surface to eliminate dust and mud.

Redline Comments: Staff is recommending that prior to issuance of a building permit, all redline comments made on the construction plans must be addressed and resubmitted for review and approval. In addition, the red lined drawings must be returned to the Growth Management Department.

Notification Requirement: The certified mailings have been returned and the sign has been posted on the property. Staff has received no inquiries regarding this proposal.